

**ALLEN CITY COUNCIL**

**REGULAR MEETING**

**FEBRUARY 12, 2019**

**Present:**

Stephen Terrell, Mayor

**Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Robin L. Sedlacek

Baine Brooks

**City Staff:**

Peter H. Vargas, City Manager

Shelli Siemer, Assistant City Manager

Eric Ellwanger, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Peter G. Smith, City Attorney

**Workshop Session**

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With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:29 p.m. on Tuesday, February 12, 2019, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Update Regarding Monarch City Development.**
- 2. Committee Updates from City Council Liaisons.**
- 3. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:57 p.m. on Tuesday, February 12, 2019.

**Call to Order and Announce a Quorum is Present**

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With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:05 p.m. on Tuesday, February 12, 2019, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

**Pledge of Allegiance**

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**Public Recognition**

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**1. Citizens' Comments.**

Paula Ross, 917 Autumn Lake, Allen, Texas, President of the Allen Heritage Guild, invited the Council and residents to attend the Sam Bass Railroad History Day on February 23 at the Allen Heritage Center in downtown Allen.

**2. Recognition of Chris Schulmeister, Former Member of the Allen Economic Development Corporation.**

**3. Recognition of the Arbor Day Poster Contest Winners.**

- First Place – Emma Zhou, Boon Elementary
- Second Place – Emily Sices, Evans Elementary
- Third Place – Ashley Chen, Cheatham Elementary

**Consent Agenda**

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Mayor Terrell removed the following agenda item from the Consent Agenda.

**8. Adopt an Ordinance Ordering a Special Election on a Proposed Charter Amendment Submitted by Citizen Petition to be Held in Conjunction with the City General Election on May 4, 2019.**

**MOTION:** Upon a motion made by Councilmember Clemencich and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt all remaining items on the Consent Agenda as follows:

**4. Approve Minutes of the January 22, 2019, Regular City Council Meeting.**

**5. Approve Minutes of the January 19, 2019, Special Called City Council Workshop for Strategic Planning.**

**6. Approve Minutes of the January 29, 2019, Special Called City Council Meeting.**

**7. Adopt a Resolution Ordering the May 4, 2019, Joint General Election and Authorize the City Manager to Enter into a Contract with the Elections Administrator of Collin County to Provide Joint Election Services with the Allen Independent School District and Collin County Community College District.**

**RESOLUTION NO. 3638-2-19(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ORDERING A JOINT GENERAL ELECTION TO BE HELD ON MAY 4, 2019, FOR THE PURPOSE OF ELECTING THE CITY COUNCILMEMBERS FOR PLACE NOS. 4 AND 6; DESIGNATING LOCATION OF POLLING PLACES; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**9. Authorize the City Manager to Execute a Design Contract with Huitt-Zollars, Inc., in the Amount of \$389,400 for the Allen Drive Gateway Project.**

10. **Authorize the City Manager to Execute a Five-Year Lease Agreement with PNC Equipment Finance, LLC, through the National Intergovernmental Purchasing Alliance (NIPA) in an Annual Lease Amount of \$110,400 for One Hundred (100) Golf Carts for The Courses at Watters Creek.**
11. **Authorize the City Manager to Execute Change Orders with Schmoltdt Construction, Inc., for Construction of Spirit Park Phase I in the Amount of \$99,379.**
12. **Authorize the City Manager to Execute a Fourth Amendment to the Economic Development Incentive Agreement and Civic Center Agreement with TCH Altera AHCC, LP, to Amend the Commencement Date to Coincide with the Actual Opening Date of the Hotel and Convention Center.**
13. **Accept the Resignation of Chris Schulmeister and Declare a Vacancy in Place No. 4 on the Allen Economic Development Corporation.**
14. **Motion to Cancel the March 26, 2019, City Council Regular Meeting.**
15. **Set August 16-18, 2019, as the Dates for the City Council Budget Workshop with City Council and Executive Staff.**

The motion carried.

8. **Adopt an Ordinance Ordering a Special Election on a Proposed Charter Amendment Submitted by Citizen Petition to be Held in Conjunction with the City General Election on May 4, 2019.**

**ORDINANCE NO. 3639-2-19:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ORDERING A SPECIAL ELECTION ON A PROPOSED AMENDMENT TO THE HOME RULE CITY CHARTER OF THE CITY OF ALLEN TO BE HELD ON MAY 4, 2019; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROPOSING AN AMENDMENT TO THE HOME RULE CITY CHARTER OF THE CITY OF ALLEN; AUTHORIZING THE EXECUTION AN ELECTION CONTRACT; AND PROVIDING AN EFFECTIVE DATE

**MOTION:** Upon a motion made by Councilmember Kizer and a second by Councilmember Doherty, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3639-2-19, as previously captioned, to order a Special Election on a proposed charter amendment submitted by citizen petition to be held in conjunction with the City General Election on May 4, 2019. The motion carried.

### **Regular Agenda**

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16. **Conduct a Public Hearing and Amend the Development Regulations of Planned Development No. 55 to Adopt a Base Zoning of Office, and Adopt a Concept Plan, Building Elevations, Sign Exhibit, and Landscape Plan, for the Property Generally Located at the Northeast Corner of the Intersection of Bethany Drive and Watters Road. [Office Building – One Bethany West]**

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

**ORDINANCE NO. 3640-2-19:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS FOR A 2.628± ACRE PORTION OF “TRACT 10B” IN “PD” PLANNED DEVELOPMENT NO. 55 AS ESTABLISHED BY ORDINANCE NO. 1226-3-94, AS AMENDED, BY AUTHORIZING USE AS A PRIVATE CLUB IN ADDITION TO OTHER PERMITTED USES; ADOPTING A CONCEPT PLAN, BUILDING ELEVATIONS, SIGN ELEVATIONS, AND LANDSCAPE PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Councilmember Sedlacek and a second by Councilmember Brooks, the Council voted six (6) for and one (1) opposed, with Councilmember Doherty casting the negative vote, to adopt Ordinance No. 3640-2-19, as previously captioned, to amend the development regulations of Planned Development No. 55 to adopt a base zoning of Office, and to adopt a Concept Plan, Building Elevations, Sign Exhibit, and Landscape Plan. The motion carried.

Mayor Terrell asked Council for any questions or comments before the vote was taken and the following spoke:

Councilmember Doherty expressed that she understood the need for office space but expressed concern over the height of the proposed building and the possible overwhelming impact on the skyline and to residents.

Councilmember Clemencich expressed his appreciation to City Staff for their work on this project.

17. **Conduct a Public Hearing and Amend the Development Regulations of Tract 2 of Planned Development No. 54 and Adopt a Concept Plan and Building Elevations for 4.573± Acres Generally Located South of Exchange Parkway and Directly East of Raintree Circle. [Medical Office and Fitness and Health Center – Texas Health Resources]**

Mayor Terrell opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

**ORDINANCE NO. 3641-2-19:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS, AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF 4.573± ACRES LOCATED IN THE WILLIAM J. JACKSON SURVEY, ABSTRACT NO. 484 AND THE JOHN FYKE SURVEY, ABSTRACT NO. 325 PRESENTLY ZONED AS PLANNED DEVELOPMENT “PD” NO. 54 CORRIDOR COMMERCIAL “CC” AND ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3641-2-19, as previously captioned, to amend the development regulations of Planned Development No. 54 and to adopt a Concept Plan and Building Elevations. The motion carried.

**Other Business**

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**18. Calendar.**

**19. Items of Interest.**

- Council encouraged the public to support Allen Community Outreach by attending the Allen Americans game on February 17.
- Council announced The Allen Special Olympics will be hosting their 21<sup>st</sup> Annual “Special Angels Among Us” Benefit and Auction Fundraiser Saturday, February 16.

Mayor Terrell announced the Executive Session then recessed the Regular Agenda at 7:44 p.m.

**Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 7:55 p.m. on Tuesday, February 12, 2019, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to discuss matters pertaining to:

**20. Personnel Pursuant to Section 551.074 of the Texas Government Code —**

Discussion Regarding City Manager Selection Process.

**21. Personnel Pursuant to Section 551.071 of the Texas Government Code —**

Discussion Regarding City Charter Amendments.

The Executive Session adjourned at 9:05 p.m. on Tuesday, February 12, 2019.

**22. Reconvene and Consider Action on Items Resulting from Executive Session.**

The Allen City Council reconvened into the Regular Meeting at 9:09 p.m. on Tuesday, February 12, 2019. No action was taken on items discussed during Executive Session.

**Adjournment**

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**MOTION:** Upon a motion made by Councilmember Doherty and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 9:10 p.m. on Tuesday, February 12, 2019. The motion carried.

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These minutes approved on the 26<sup>th</sup> day of February 2019.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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**Shelley B. George, TRMC, CITY SECRETARY**